

By

James Hame

S.B. No. 670

A BILL TO BE ENTITLED

AN ACT

1 relating to the licensing and regulation of speech pathologists
2 and audiologists; providing penalties; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 Section 1. PURPOSE. It is the policy of this state that,
5 in order to safeguard the public health, safety, and welfare, and
6 to protect the public from unprofessional conduct by qualified
7 speech pathologists and audiologists, it is necessary to provide
8 regulatory authority over persons offering speech pathology and
9 audiology services to the public.

10 Sec. 2. DEFINITIONS. In this Act:

11 (1) "Committee" means the State Committee of Examiners for
12 Speech Pathology and Audiology.

13 (2) "Person" means an individual, corporation, partnership,
14 or other legal entity.

15 (3) (A) "Speech Pathologist" means an individual who
16 practices speech pathology, who evaluates, examines, counsels, or
17 provides habilitative or rehabilitative services for persons who
18 have or are suspected of having speech, voice, or language
19 disorders, and who meets the qualifications set forth in this Act.

20 (B) A person "represents himself to be a speech
21 pathologist" when he holds himself out to the public by a title
22 or description of services incorporating the words "speech
23 pathology," "speech pathologist," "speech therapy," "speech
24 therapist," "speech correction," "speech correctionist," "speech
25 and hearing therapy," "speech and hearing therapist," "speech and
26 hearing specialist," "speech and hearing clinician," "language
27 therapy," "language therapist," "voice pathology," "voice

1 pathologist," "voice therapy," "voice therapist," "logopedics,"
2 "logopedist," "communicology," "communicologist," "aphasiologist,"
3 "phoniatriest," "speech clinician," "speech clinic," "speech
4 center," or similar or related term or terms, titles, or
5 description of services.

6 (4) "The practice of speech pathology" means the
7 application of principles, methods, and procedures for the
8 measurement, testing, evaluation, prediction, counseling,
9 habilitation, rehabilitation, or instruction related to the
10 development and disorders of speech, voice, or language for the
11 purpose of rendering or offering to render an evaluation,
12 prevention, or modification of these disorders and conditions in
13 individuals or groups of individuals. The speech pathologist may
14 perform the basic audiometric screening tests and hearing therapy
15 procedures consistent with his training.

16 (5) (a) "Audiologist" means a person who practices
17 audiology, who evaluates, examines, counsels, or provides
18 habilitative or rehabilitative services for persons who have or
19 are suspected of having a hearing disorder, and who meets the
20 qualifications set forth in this Act.

21 (b) A person "represents himself to be an audiologist"
22 when he holds himself out to the public by any title or
23 description of services incorporating the terms "audiology,"
24 "audiologist," "audiometry," "audiometrist," "otometry,"
25 "otometrist," "hearing therapy," "hearing therapist," "hearing
26 clinician," "hearing clinic," "hearing center," "audiological,"
27 "audiometrics," or similar or related terms, titles, or

1 description of services.

2 (6) "The practice of audiology" means the application of
3 principles, methods, and procedures for the measurement, testing,
4 appraisal, prediction, consultation, counseling, habilitation,
5 rehabilitation, or instruction related to hearing and disorders of
6 hearing for the purpose of rendering or offering to render services
7 modifying communicative disorders involving speech, language,
8 auditory function, or other aberrant behavior relating to hearing
9 loss. An audiologist may participate in consultation regarding
10 noise control and hearing conservation, may prepare ear
11 impressions, fit hearing aids, train individuals in the use of
12 amplification, including hearing aids, provide evaluations of
13 environment or equipment, including calibration of equipment used
14 in testing auditory functioning and hearing conservation, and may
15 perform the basic speech and language screening tests and
16 procedures consistent with his training.

17 (7) "Speech pathology aide" means a person who meets
18 minimum qualifications which the committee may establish for speech
19 pathology aides and who works under the direction of a licensed
20 speech pathologist. The qualifications for licensure as a speech
21 pathology aide shall be uniform and shall be less than those
22 established by this Act as necessary for licensure as a speech
23 pathologist.

24 (8) "Audiology aide" means a person who meets minimum
25 qualifications which the committee may establish for audiology
26 aides and who works under the direction of a licensed audiologist.
27 The qualifications for licensure as an audiology aide shall be

1 uniform and shall be less than those established by this Act as
2 necessary for licensure as an audiologist.

3 Sec. 3. ADMINISTRATION. (a) The State Committee of
4 Examiners for Speech Pathology and Audiology is created within
5 the State Department of Health"; The committee consists of nine
6 members, appointed by the governor, to take office on the
7 effective date of this Act, who have been residents of the State
8 of Texas for two years immediately preceding appointment. Seven
9 members shall have been engaged in rendering services, teaching,
10 or research in speech pathology or audiology for at least five
11 years and shall meet the qualifications for licensure under
12 Section 10 of this Act. Of these seven members, three members
13 shall be audiologists, three members shall be speech
14 pathologists, and one shall be either a speech pathologist or
15 audiologist; and except for the initial appointees, all seven
16 shall hold valid licenses under this law. Two shall be public
17 members, one of whom is a licensed physician, board-certified in
18 otolaryngology, pediatrics, or neurology; the remaining public
19 member, an interested citizen, may not be a licensee of the
20 committee or of any board under this division. The members of
21 the committee shall serve until the expiration of the term to
22 which they have been appointed or until their successors are
23 qualified.

24 (b) The initial appointments shall be determined by lots
25 as follows: three members are appointed for a term which expires
26 January 31, 1977; three members are appointed for a term which
27 expires January 31, 1979, and three members are appointed for a

1 term which expires January 31, 1981. After the initial
2 appointments members are appointed for a term of six years,
3 expiring on January 31 of odd-numbered years.

4 (c) The committee shall organize annually and select a
5 chairman who, except for the initial chairman, shall hold a valid
6 license under this Act, a vice-chairman, and a secretary-treasurer.
7 The initial chairman shall be a person who meets the qualifications
8 for licensing under this Act.

9 (d) Five members of the committee constitute a quorum to
10 do business.

11 (e) No person may be appointed to serve more than two
12 consecutive terms.

13 (f) The committee shall hold at least one regular
14 meeting each year at which time an examination, as defined in
15 Section 12 of this Act, shall be offered. Additional meetings
16 may be held on the call of the chairman or at the written request
17 of any three members of the committee. At least 14 days of
18 advance notice of committee meetings is required.

19 Sec. 4. DUTIES AND POWERS. (a) The committee shall
20 administer, coordinate, and enforce the provisions of this Act,
21 evaluate the qualifications of applicants, and supervise the
22 examination of applicants. The committee may issue subpoenas,
23 examine witnesses, and administer oaths under the state laws
24 of Texas; and it shall investigate persons engaging in practices
25 that violate the provisions of this Act.

26 (b) The committee shall conduct hearings and keep records
27 and minutes necessary to an orderly dispatch of the administration

1 of this Act.

2 (c) The committee shall adopt reasonable rules and
3 regulations commensurate with the provisions of this Act, including
4 regulations that establish ethical standards of practice.

5 (d) A person who holds a license to practice speech
6 pathology or audiology in this state is governed and controlled
7 by the rules and regulations adopted by the committee.

8 (e) The conferral or enumeration of specific powers
9 elsewhere in this Act does not limit the general powers conferred
10 by this section.

11 (f) The committee shall be represented by the attorney
12 general and the district and county attorneys of this state.

13 (g) Officers and employees directly responsible for
14 handling money paid to the committee shall execute a performance
15 bond as required by the committee. The premium for the bond shall
16 be paid from committee funds.

17 (h) The committee may appoint subcommittees to work under
18 its jurisdiction.

19 Sec. 5. COMPENSATION AND PAYMENT OF EXPENSES OF COMMITTEE.

20 (a) The committee members receive no compensation for their
21 services, but they may receive reimbursement for actual expenses
22 incurred in the administration of this Act.

23 (b) All expenses incurred by the committee in the
24 administration of the provisions of this Act shall be paid by
25 warrants drawn on the state treasury by the comptroller when
26 vouchers for expenses approved by the committee are submitted to
27 the comptroller.

1 Sec. 6. EMPLOYEES OF THE COMMITTEE. The committee may
2 employ, and at its pleasure discharge, secretaries, attorneys,
3 inspectors, clerks, and any other employees deemed necessary,
4 and shall outline their duties and fix their compensation.

5 Sec. 7. SEAL AND AUTHENTICATION OF RECORDS. The committee
6 shall adopt a seal by which it shall authenticate its proceedings.
7 Copies of the proceedings, records, and acts of the committee, and
8 certificates purporting to relate the facts concerning the
9 proceedings, records, and acts, signed by the secretary and
10 authenticated by the seal, are prima facie evidence in all courts
11 of this state.

12 Sec. 8. LICENSING AND REGULATION OF SPEECH PATHOLOGISTS
13 AND AUDIOLOGISTS. (a) Licenses shall be granted either in speech
14 pathology or audiology independently. A person may be licensed
15 in both areas if he meets the qualifications.

16 (b) No person may practice or represent himself as a
17 speech pathologist or audiologist in this state after December 31,
18 1975, unless he is licensed in accordance with the provisions of
19 this Act.

20 Sec. 9. PERSONS AND PRACTICES NOT AFFECTED. (a) This
21 Act does not prevent a qualified person licensed in this state
22 under another law, from engaging in the profession for which he
23 is licensed, if he does not hold himself out to be a speech
24 pathologist or audiologist.

25 (b) This Act does not prevent or restrict the activities
26 and services and the use of an official title by a person holding
27 a valid and current certification in speech and hearing therapy

1 from the Texas Education Agency, if the person performs speech pathology or
2 audiology services solely as a part of his duties within an agency, institution
3 or organization under the jurisdiction of the Texas Education
4 Agency. If a person affected by this subsection performs work as
5 a speech pathologist or audiologist apart from his position within
6 an agency, institution, or organization of the Texas Education
7 Agency, he must have a license issued by the committee.

8 (c) This Act does not restrict the activities and services
9 of a student or intern pursuing a course of study leading to a
10 degree in speech pathology at a college or university accredited
11 by the Southern Association of Colleges and Universities or its
12 equivalent, provided that these activities and services constitute
13 a part of his supervised course of study or internship year, that
14 he is supervised by a person licensed under this Act, and that he
15 is designated by such title as "Speech Pathology Intern," "Speech
16 Pathology Trainee," or other title clearly indicating the training
17 status appropriate to his level of training.

18 (d) This Act does not restrict activities and services of
19 a student or intern in audiology pursuing a course of study
20 leading to a degree in audiology at a college or university
21 accredited by the Southern Association of Colleges and
22 Universities or its equivalent, provided that these activities
23 and services constitute a part of his supervised course of study
24 or internship year, that he is supervised by a person licensed
25 under this Act, and that he is designated by such title as
26 "Audiology Intern," "Audiology Trainee," or other title clearly
27 indicating the training status appropriate to his level of

1 training.

2 (e) This Act does not restrict the performance of speech
3 pathology or audiology services in this state by a person not a
4 resident of this state who is not licensed under this Act if the
5 services are performed for no more than five days in a calendar
6 year and if the person meets the qualifications and requirements
7 for application for licensure under this Act.

8 (f) This Act does not restrict the use of an official
9 title by an individual teaching in a university or college
10 training program, provided that the person is not engaged in the
11 practice of speech pathology or audiology and does not supervise
12 persons engaged in the practice of speech pathology or audiology.

13 (g) This Act does not permit a person to perform an act
14 that would be in violation of the Medical Practice Act of Texas,
15 Article 4510, Revised Civil Statutes of Texas, 1925, as amended.
16 This Act does not permit a person to provide medical or surgical
17 diagnosis or treatment of laryngeal or ear disorders.

18 (h) This Act does not prevent or restrict a physician or
19 surgeon from engaging in the practice of medicine in this state.
20 This Act does not restrict speech or hearing testing or evaluation
21 conducted by licensed physicians and surgeons or by persons
22 conducting the tests under the direct supervision of and in the
23 office of a physician or surgeon.

24 (i) This Act does not apply to a person employed by the
25 Texas State Department of Health in its programs concerned with
26 hearing or speech services, so long as he is performing duties
27 under the jurisdiction of the Texas State Department of Health.

(j) This Act does not apply to a person who shows evidence of having received training by the Texas State Department of Health in one of the hearing screening training programs conducted by that agency, provided that all activities performed under this exception shall be limited to screening of hearing sensitivity.

Sec. 10. QUALIFICATIONS OF APPLICANTS FOR LICENSE.

(a) To be eligible for licensing as a speech pathologist or audiologist, an applicant must:

(1) be of good moral character;

(2) possess at least a master's degree from an accredited or approved college or university;

(3) submit transcripts from one or more colleges or universities showing that a total of 60 semester hours of academic credit have been successfully completed and that the applicant has obtained no less than the following:

(A) 12 semester hours in courses which provide information that pertains to normal development and use of speech, language, and hearing;

(B) 30 semester hours in courses that provide information about and training in evaluation and management of speech, language, and hearing disorders, at least 24 of which are in courses in the professional area for which the license is requested, and at least 6 semester hours in audiology for the license in speech pathology or in speech pathology for the license in audiology, and no more than 6 semester hours in courses that provide credit for clinical practice obtained during academic

1 training;

2 (C) credit for study of information pertaining to related
3 fields that augment the work of the clinical practitioner of
4 speech pathology or audiology sufficient to bring the applicant's
5 total credit up to 60 hours and

6 (D) 30 semester hours in courses that are acceptable
7 toward a graduate degree by the college or university in which
8 they are taken, 21 of which are within the 24 semester hours
9 required in the professional area for which the license is
10 requested or within the six semester hours required in the other
11 professional area regulated by this Act;

12 (4) have completed a minimum of 300 clock hours of
13 supervised clinical experience with individuals who present a
14 variety of communication disorders, and this experience must have
15 been obtained within his training institution or in one of its
16 cooperating programs;

17 (5) have obtained the equivalent to nine months of
18 full-time supervised professional experience in which bona fide
19 clinical work has been accomplished in the major professional
20 area for which the license is being sought, under the supervision
21 of a qualified person acceptable to the committee, and must have
22 begun after completion of the academic and clinical experiences
23 required by this section.

24 (b) The committee may make reasonable changes in the
25 qualifications required for applicants. A change made by the
26 committee pursuant to the authority of this subsection is not
27 effective until it has been published by the committee as a

1 proposed change for at least two years.

2 Sec. 11. APPLICATION FOR LICENSE. Each person desiring
3 a license under this Act shall make application to the committee
4 on a form and in the manner the committee prescribes. The
5 application shall be accompanied by the application fee, which
6 may not be refunded by the committee.

7 Sec. 12. EXAMINATION. (a) Each applicant shall be
8 examined by the committee and shall pay to the committee, at
9 least 30 days prior to the date of examination, an examination
10 fee prescribed by the committee, which is not refunded. The
11 examination shall be given at least twice each year at a time
12 and place established by and under the supervision of the
13 committee.

14 (b) The committee may examine by written or oral
15 examination or by both. The committee shall maintain a record of
16 all examination scores for at least two years after the date of
17 examination.

18 (c) Standards for acceptable performance shall be
19 determined by the committee.

20 (d) The committee may examine in whatever theoretical or
21 applied fields in speech pathology or audiology it deems
22 appropriate. It may examine the candidate with regard to his
23 professional skills and his judgment in the utilization of speech
24 pathology or audiology techniques or methods.

25 (e) A person who fails the examination may be examined at
26 a subsequent time if he pays another application and examination
27 fee. No applicant who has taken and failed to pass two

1 examinations may take the examination until he has presented
2 evidence to the committee of additional study in the area for
3 which licensure is sought.

4 (f) The committee may waive the examination for applicants
5 who:

6 (1) present proof of current licensure in another state,
7 including the District of Columbia, or territory of the United
8 States which maintains professional standards considered by the
9 committee to be equivalent to those set forth in this Act; or

10 (2) hold the Certificate of Clinical Competence of the
11 American Speech and Hearing Association in the area for which a
12 license is being sought.

13 Sec. 13. LICENSING UNDER SPECIAL CONDITIONS. (a) The
14 committee, on request, shall waive educational, professional
15 experience, and examination requirements for licensure in speech
16 pathology for applicants who hold a baccalaureate or graduate
17 degree, are fully certified by the Texas Education Agency in speech
18 and hearing therapy, and within one year prior to the effective date
19 of this Act were engaged in the practice of speech pathology on
20 proof of bona fide practice of speech pathology, presented to the
21 committee in the manner prescribed by the committee's regulations,
22 providing they file an application for licensure within 90 days
23 from the effective date of this Act. Such licenses shall be renewed
24 in the same manner as licenses granted under other provisions of
25 this Act.

26 (b) The committee, on request, shall waive educational,
27 professional experience, and examination requirements for licensure

1 in audiology for applicants who, on the effective date of this act,
2 hold a baccalaureate or graduate degree and have successfully
3 completed 21 credit hours of coursework in audiology, and are
4 engaged in the practice of audiology on proof of bona fide practice
5 of audiology presented to the committee in the manner prescribed by
6 the committee's regulations, providing they file an application for
7 licensure within 90 days from the effective date of this Act.

8 (c) The committee may waive the examination and grant
9 licensure to an applicant who presents proof of current licensure
10 in another state, including the District of Columbia, or territory
11 of the United States which maintains professional standards
12 considered by the committee to be equivalent to those set forth in
13 this Act.

14 (d) The committee may waive the examination and grant
15 licensure to an applicant who holds the Certificate of Clinical
16 Competence of the American Speech and Hearing Association or has
17 met equivalent requirements in the area for which a license is
18 sought.

19 Sec. 14. ISSUANCE OF LICENSE. (a) The committee shall issue
20 a license to an applicant who meets the requirements of this Act and
21 who pays to the committee the initial license fee.

22 (b) A temporary certificate of registration may be applied
23 for by a person who fulfills the requirements of Section 10 of this
24 act and who has not previously applied to take the examination
25 provided under Section 12 of this Act.

26 (c) On receiving an application provided under Subsection (b)
27 of this section accompanied by the application fee, the committee

1 shall issue a temporary certificate of registration which entitles
2 the applicant to practice audiology or speech pathology for a period
3 ending eight weeks after the conclusion of the next examination
4 given after the date of issue.

5 Sec. 15. RENEWAL OF LICENSE. (a) Each licensed speech
6 pathologist or audiologist shall annually on or before January 30
7 pay to the committee a fee for a renewal of his license. A 30-day
8 grace period shall be allowed after January 30. After expiration
9 of the grace period, the committee may renew each license after
10 payment of a penalty set by the committee. No person who applies
11 for renewal within two years after the date of expiration of the
12 license, may be required to submit to an examination as a condition
13 to renewal.

14 (b) A person who fails to renew his license within two years
15 after the date of its expiration may not renew it, and it may not
16 restored, reissued, or reinstated thereafter, but that person may
17 apply for and obtain a new license if he meets the requirements of
18 this Act.

19 (c) Within three years of the effective date of this Act,
20 renewal of a license is contingent on the applicant meeting uniform
21 continuing education requirements established by the committee.
22 These continuing education requirements must be of such a nature
23 that they can be met without necessitating an extended absence from
24 the licensee's county of residence. Notice of continuing education
25 requirements shall be sent to all persons licensed under this Act
26 at least 12 months prior to the time that the person's license
27 renewal is dependent on completion of the requirements. Continuing

1 education requirements shall be sent to new applicants with the
2 forms on which they are to apply for licensure. Notification of
3 changes in continuing education requirements shall be sent to
4 persons licensed under this Act as least one year prior to the date
5 on which the new requirements become effective.

6 (d) A suspended license is subject to expiration and may
7 be renewed as provided in this Act, but the renewal does not entitle
8 the licensee, while the license remains suspended and until it is
9 reinstated, to engage in the licensed activity, or in any other
10 activity of conduct in violation of the order or judgment by which
11 the license was suspended. A license revoked on disciplinary
12 grounds is subject to expiration as provided in this Act, but it
13 may not be renewed. If it is reinstated after its expiration, the
14 licensee, as a condition of reinstatement, shall pay a reinstatement
15 fee in an amount equal to the renewal fee in effect on the last
16 preceding regular renewal date before the date on which it is
17 reinstated, plus the delinquency fee, if any, accrued at the time
18 of the license revocation.

19 (e) All licenses expire and become invalid one year from
20 the date of issuance if not renewed.

21 Sec. 16. FEES. The amount of fees initially prescribed in
22 connection with a license as a speech pathologist or audiologist
23 shall not exceed the following:

- 24 (1) Application fee: \$50
25 (2) Examination fee: \$25
26 (3) Initial license fee: \$50
27 (4) License renewal fee: \$50

1 (5) Delinquency fee: \$25

2 (6) Temporary license fee: \$15

3 (7) Duplicate license fee: \$10

4 The committee shall adjust the amount of the fees so that the total
5 fees collected will be sufficient to meet the expenses of
6 administering this Act and so that unnecessary surpluses in the
7 fund provided for in Section 20 of this Act are avoided.

8 Sec. 17. DENIAL, SUSPENSION, AND REVOCATION. (a) The
9 committee may refuse to issue a license to an applicant or may
10 suspend or revoke the license of any licensee for any of the
11 following causes:

12 (1) obtaining a license by means of fraud,
13 misrepresentation, or concealment of material facts;

14 (2) selling, bartering, or offering to sell or barter a
15 license or certificate of registration;

16 (3) unprofessional conduct that has endangered or is likely
17 to endanger the health, welfare, or safety of the public, as
18 defined by the rules established by the committee, or violation
19 of the code of ethics adopted and published by the committee;

20 (4) violating any lawful order, rule, or regulation
21 rendered or adopted by the committee; or

22 (5) violating any provisions of this Act.

23 (b) The committee shall deny an application for , or suspend
24 or revoke, or impose probationary conditions on, a license as
25 ordered by the committee in any decision made after hearing as
26 provided in this Act. One year from the date of revocation of
27 a license under this Act, application may be made to the committee

1 for reinstatement. The committee shall have discretion to accept or reject an
2 application for reinstatement and may require an examination for the
3 reinstatement.

4 (c) A plea or verdict of guilty or a conviction following a plea of
5 nolo contendere made to a charge of a felony or of an offense involving moral
6 turpitude is deemed to be a conviction within the meaning of this Act. At the
7 direction of the committee, the license may be suspended or revoked, or the
8 committee may decline to issue a license when the time for appeal of the
9 conviction has elapsed, or the judgment or conviction has been affirmed on
10 appeal, or when an order granting probation is made suspending the imposition
11 of sentence irrespective of a subsequent order allowing a person to withdraw his
12 plea of guilty, or setting aside the verdict of guilty, or dismissing the
13 information or indictment.

14 Sec. 19. PENALTIES. (a) A person who violates any of the
15 provisions of this Act is guilty of a misdemeanor and on conviction
16 may be punished by confinement in the county jail not exceeding
17 six months, or by confinement in the county jail not exceeding
18 six months, or by a fine not exceeding \$1,000, or both.

19 (b) If a person other than a licensed speech pathologist
20 or audiologist has engaged in any act or practice which
21 constitutes an offense under this Act, a district court of any
22 county, on application of the committee, may issue an injunction
23 or other appropriate order restraining such conduct.

24 Sec. 19. PROCEDURES FOR DENIAL, REVOCATION, OR SUSPENSION
25 OF A LICENSE. (a) A person whose application for a license is
26 denied is entitled to a hearing before the committee if he submits
27 a written request to the committee.

1 (b) Proceedings for revocation or suspension of a license
2 shall be commenced by filing charges with the committee in writing
3 and under oath. The charges may be made by any person or persons.

4 (c) The chairman of the committee shall fix a time and
5 place for a hearing and shall cause a written copy of the charges
6 or reason for denial of a license, together with a notice of the
7 time and place fixed for the hearing, to be served on the applicant
8 requesting the hearing for the licensee against whom the charges
9 have been filed at least 20 days prior to the date set for the
10 hearing. Service of charges and notice of hearing may be given by
11 certified mail to the last known address of the licensee or
12 applicant.

13 (d) At the hearing the applicant or licensee has the right
14 to appear either personally or by counsel, or both, to produce
15 witnesses, to have subpoenas issued by the committee, and to
16 cross-examine opposing or adverse witnesses.

17 (e) The committee is not bound by strict rules of procedure
18 or by the laws of evidence in the conduct of the proceedings but
19 the determination shall be founded on sufficient legal evidence to
20 sustain it.

21 (f) The committee shall determine the charges on their
22 merits and enter an order in a permanent record setting forth the
23 findings of fact and law and the action taken. A copy of the
24 order of the committee shall be mailed to the applicant or
25 licensee at his last known address by certified mail.

26 (g) An individual whose application for a license has been
27 refused or whose license has been cancelled, revoked, or suspended

1 by the committee may take an appeal, within 20 days after the
2 order is entered, to any district court of Travis County or to
3 any district court of the county of his residence.

4 (h) A case reviewed under the provisions of this section
5 proceeds in the district court by trial de novo.

6 Sec. 20. DISPOSITION OF FUNDS RECEIVED. (a) All funds
7 received by the committee under this Act shall be paid to the
8 secretary-treasurer of the committee. All money shall be deposited
9 in the state treasury in a separate fund to be known as the speech
10 pathology and audiology fund.

11 (b) All expenses for the administration of the Act shall
12 be paid from fees collected by the committee under this Act and
13 fees paid to the speech pathology and audiology fund are allocated
14 to the committee for that purpose.

15 (c) Funds shall be appropriated to the committee for the
16 implementation of this Act, said funds coming from general state
17 funds for the first year.

18 Sec. 21. REVENUE. The committee shall report to the state
19 comptroller at the beginning of each month the amount and source
20 of all revenue received by it during the proceeding month pursuant
21 to this Act, and at the time shall pay the proceeding month pursuant
22 to this Act, and at the time shall pay the entire amount thereof
23 into the speech pathology and audiology fund.

24 Sec. 22. EXEMPTIONS FROM THE BASIC SCIENCE LAW. The
25 provisions for Chapter 95, Acts of the 51st Legislature, Regular
26 Session, 1949, as amended (Article 4590c, Vernon's Texas Civil
27 Statutes), do not apply to audiologists or speech pathologists

S.B.No. _____

1 duly qualified and licensed under this Act who confine their
2 activity to the areas specified in this Act.

3 Sec. 23. EFFECTIVE DATE. This Act is effective September
4 1, 1975.

5 Sec. 24. EMERGENCY. The importance of this legislation
6 and the crowded condition of the calendars in both houses create
7 an emergency and an imperative public necessity that the
8 constitutional rule requiring bills to be read on three several
9 days in each house be suspended, and this rule is hereby suspended.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 2, 1975

Honorable William T. "Bill" Moore, Chairman
Committee on State Affairs
Senate Chamber
Austin, Texas

In Re: Senate Bill No. 670
By: Gammage

Sir:

In response to your request and pursuant to Senate Rule 94, Subsection (g), this office finds the fiscal implications of Senate Bill No. 670 (relating to the licensing and regulation of speech pathologists and audiologists) to be as follows:


1. The bill makes no appropriation but authorizes Legislative appropriations to implement the provisions of the bill.
2. The bill establishes certain fees to be paid which are to be deposited in a special fund in the State Treasury. Estimated revenue to the fund during the first five years following passage of the bill is as follows:

<u>Fiscal Year</u>	
1976	\$81,250
1977	50,000
1978	55,000
1979	60,400
1980	66,450

3. The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>General Revenue</u>	<u>Speech Pathology and Audiology Fund</u>
1976	\$18,478	\$ -0-
1977	-0-	14,581
1978	-0-	14,661
1979	-0-	14,741
1980	-0-	14,841

4. Similar annual costs will continue as long as the provisions of the bill are in effect.


Thomas M. Keel
Director

BY

A handwritten signature in dark ink, appearing to read 'D. Doggett', is written over a horizontal line.

Amendment No. 1 to SB 670

Amend Section 9 of SB 670 by adding the following subsection (k):

"(k) This Act does not license a person to sell hearing aids, as defined in Chapter 366, Acts of the 61st Legislature, 1969, as amended (Article 4566, Vernon's Annotated Civil Statutes of Texas) unless the person has been issued a license to engage in the selling of hearing aids by the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids."

BY

Doggett

Amendment No. 2 to SB 670

Amend Section 9 of SB 670 by adding the following subsection (1):

"(1) This Act does not prevent or restrict a person licensed by the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids from engaging in the practice of fitting and dispensing hearing aids, as defined in Chapter 366, Acts of the 61st Legislature, 1969, as amended (Article 4566, Vernon's Annotated Civil Statutes of Texas)."

BY

Daggett

Amendment No. 3 to SB 670

Amend Section 13(a) of SB 670 by inserting the following language immediately following the words "hearing therapy " and prior to the words "and when": "or in the judgement of the committee have met equivalent requirements,".

BY

Dossett

Amendment No. 4 to SB 670

Amend SB 670 by renumbering "Sec. 19.", page 18, line 14, as
"Sec. 18.".

BY

Daggett

Amendment No. 5 to SB 670

Amend Section 21 of SB 670 by substituting in lieu thereof the following: "REVENUE. The committee shall report to the state comptroller at the beginning of each month the amount and source of all revenue received by it during the preceeding month, and at that time shall pay the entire amount thereof into the speech pathology and audiology fund."

By Amey Hanel

A bill to be entitled an Act relating to the licensing and regulation of speech pathologists and audiologists; providing penalties; and declaring an emergency.

3-11-75
MAR 12 1975

Filed with the Secretary of the Senate

Read, referred to Committee on STATE AFFAIRS.

Reported favorably.

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed.

Senate and Constitutional Rules to permit consideration suspended by

{ unanimous consent.

{ _____ yeas, _____ nays.

To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

Read second time and { ordered engrossed.
passed to third reading.

Caption ordered amended to conform to body of bill.

Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas, _____ nays to place bill on third reading and final passage.

Read third time and passed by { a viva-voce vote.
_____ yeas, _____ nays.

OTHER ACTION:

Secretary of the Senate

Engrossed

Sent to HOUSE

ENGROSSING CLERK